

**EXHIBIT A
TO
NOTICE OF REMOVAL**

Documents Served on Defendant



Notice of Service of Process

CHS / ALL
Transmittal Number: 23543426
Date Processed: 07/27/2021

Primary Contact: Heather McClow
Lowe's Companies, Inc.
1000 Lowes Blvd
 Mooresville, NC 28117-8520

Entity:	Lowe's Home Centers, LLC Entity ID Number 2515365
Entity Served:	Lowe's Home Centers, LLC
Title of Action:	James I Diggs vs. Lowe's Home Centers, LLC
Matter Name/ID:	James I Diggs vs. Lowe's Home Centers, LLC (11435150)
Document(s) Type:	Summons/Complaint
Nature of Action:	Discrimination
Court/Agency:	Cook County Circuit Court, IL
Case/Reference No:	2020L003090
Jurisdiction Served:	Illinois
Date Served on CSC:	07/26/2021
Answer or Appearance Due:	30 Days
Originally Served On:	Lowe's Client Direct on 07/26/2021
How Served:	Client Direct
Sender Information:	James Diggs 708-705-7170

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC

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2021 JUL 13 AM 8:52

IRIS Y. MARTINEZ
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY

2120 - Served
2220 - Not Served
2320 - Served By Mail
2420 - Served By Publication
Summons - Alias Summons

2121 - Served
2221 - Not Served
2321 - Served By Mail
2421 - Served By Publication

2620 - Sec. of State
2621 - Alias Sec of State

(12/01/20) CCG 0001 A

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Name all Parties

James I Dicks

Plaintiff(s)

v.

Lowe's Home Centers, LLC

Defendant(s)

Lowe's corporate office
1000 Lowe's Blvd
 Mooresville, N.C 28117

Address of Defendant(s)

Case No. 2020-L-3090

Please serve as follows (check one): ☒ Certified Mail ☐ Sheriff Service ☐ Alias

SUMMONS

To each Defendant:

You have been named a defendant in the complaint in this case, a copy of which is hereto attached. You are summoned and required to file your appearance, in the office of the clerk of this court, within 30 days after service of this summons, not counting the day of service. If you fail to do so, a judgment by default may be entered against you for the relief asked in the complaint.

THERE WILL BE A FEE TO FILE YOUR APPEARANCE.

To file your written appearance/answer **YOU DO NOT NEED TO COME TO THE COURTHOUSE.** You will need: a computer with internet access; an email address; a completed Appearance form that can be found at <http://www.illinoiscourts.gov/Forms/approved/procedures/appearance.asp>; and a credit card to pay any required fees.

Iris Y. Martinez, Clerk of the Circuit Court of Cook County, Illinois
cookcountyclerkofcourt.org

Summons - Alias Summons

(12/01/20) CCG 0001 B

E-filing is now mandatory with limited exemptions. To e-file, you must first create an account with an e-filing service provider. Visit <http://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider.

If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/faq/gethelp.asp> or talk with your local circuit clerk's office. If you cannot e-file, you may be able to get an exemption that allows you to file in-person or by mail. Ask your circuit clerk for more information or visit www.illinoislegalaid.org.

If you are unable to pay your court fees, you can apply for a fee waiver. For information about defending yourself in a court case (including filing an appearance or fee waiver), or to apply for free legal help, go to www.illinoislegalaid.org. You can also ask your local circuit clerk's office for a fee waiver application.

Please call or email the appropriate clerk's office location (on Page 3 of this summons) to get your court hearing date AND for information whether your hearing will be held by video conference or by telephone. The Clerk's office is open Mon - Fri, 8:30 am - 4:30 pm, except for court holidays.

NOTE: Your appearance date is NOT a court date. It is the date that you have to file your completed appearance by. You may file your appearance form by e-filing unless you are exempted.

A court date will be set in the future and you will be notified by email (either to the email address that you used to register for e-filing, or that you provided to the clerk's office).

CONTACT THE CLERK'S OFFICE for information regarding COURT DATES by visiting our website: cookcountyclerkofcourt.org; download our mobile app from the AppStore or Google play, or contact the appropriate clerk's office location listed on Page 3.

To the officer: (Sheriff Service)

This summons must be returned by the officer or other person to whom it was given for service, with endorsement of service and fees, if any, immediately after service. If service cannot be made, this summons shall be returned so endorsed. This summons may not be served later than thirty (30) days after its date.

☐ Atty. No.: _____
☐ Pro Se 99500

Name: James Irvin Diggs
 Atty. for (if applicable): _____

Address: 653 162nd Place

City: South Holland IL

State: IL Zip: 60473

Telephone: 708-705-7170

Primary Email: DiggsJ63@yahoo.com

IRIS Y. MARTINEZ JUL 13 2021

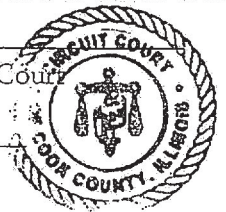
Witness date _____
 IRIS Y. MARTINEZ
 CLERK OF CIRCUIT COURT

IRIS Y. MARTINEZ, Clerk of Court

☐ Service by Certified Mail: _____

☐ Date of Service: _____

(To be inserted by officer on copy left with employer or other person)



Iris Y. Martinez, Clerk of the Circuit Court of Cook County, Illinois
cookcountyclerkofcourt.org

JAMES I. Dicols

Plaintiff(s)

v.

Lowes Home Centers, LLC

Defendant(s)

No. 2020L003090

Contract

Amount Claimed \$ 85,000.00

Return Date

COMPLAINT

The Plaintiff(s) claim(s) as follows: I've been with Lowes more than 9 yrs, and never have I endured such mistreatment, disrespect, humiliation. I was falsely accused of touching and making inappropriate comments to a female co-worker Corey Martin, Benjamin Oliver, and Lonzell Brooks. Had me come to an office to question me about an incident involving a female co-worker. Instead Corey Martin, accused me, threatened, became very aggressive, hitting his hand with his fist while in my face. After the interrogation, several co-workers ~~also~~ stated that Corey told them I had inappropriately touched and make sexual comments of female co-workers for several months. My name was the talk of Lowes, other associates calling me Chester the molester. I'm known around Lowes for being a Lady Sexual Harasser. etc

I, JAMES Dicols

(Name)

certify that I am the

plaintiff in the above entitled action. The allegations in this complaint are true.

(Name of Attorney if applicable)

Atty. No.: 90500

Pro Se 99500

Dated: 03-16-2020

Atty. (or Pro Se Plaintiff):

Name: JAMES DicolsAddress: 653 162nd PlCity/State/Zip: South Holland, IL 60473Telephone: 708-705-7170James Dicols

Signature

☒ Under penalties as provided by law pursuant to 735 ILCS 5/1-1, the abovesigned certifies that the statements set forth herein are true and correct.

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

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On July 30, 2019, I was called to the manager's office, at Lowes Hardware store, for a meeting. I met with Corey Martin, the Department Head, Lonzelle Brooks, Assistant Store Manager, and Benjamin Oliver, Lumber Supervisor. I was seated in a chair facing east. Lonzelle sat facing west and Benjamin stood by the door facing west. Corey stood directly in front of me. Corey began questioning me, asking me what did I say and do to a female co-worker, I replied, I have no idea what you're talking about. He asked again. I replied again, I have no idea what you're talking about. He said to me, "you must have amnesia huh, just give it a minute it'll sink in" He then said, you don't remember talking about her face, I replied, oh that. I began to explain what happen, before I can get a word out, he started yelling in my face. He became very angry and aggressive. He started pounding his balled right fist into his open left hand in a threatening manner. Without explanation, he started accusing me of inappropriate touching and making sexual comments towards a female employee. He stated that if I wasn't a doctor, physical therapist, or any kind of medical professional, I should not be touching or talking to any female about their anatomy. I looked at Lonzelle and asked him to step in and calm Corey down. Lonzelle turned away and ignored the situation. Finally Corey stop ranting and raving and asked for a written statement. I told him I will have a statement after I return from lunch. I returned from lunch at 1:30p.m. As I walked through the sales floor, I was confronted by several co-workers telling me that Corey told them he had to put me in check for making sexual comments and touching old girl butt. Kassina from the plumbing dept. told me Corey said I touched the lady's, in question, butt. Teela, from the paint dept, also asked if what everyone was saying is true. The Assistant Store Manager, Magan Murphy, asked me also. I immediately call the store manager, Anthony Jones, to set up a meeting with him to explain what happen and the accusations Corey was spreading around the store about me. Anthony and I met later that day. He told me Corey, Lonzelle, and Benjamin denied Corey's actions. He said Corey stated that he was the only one he told about the situation. I asked Anthony, since when Lowes started having three staff managers in a meeting, especailly all men, to confront an Associate? I felt it was to try and intimidate me. Anthony stated that he wasn't aware of that meeting. I handed him my written statement and told him I felt I was being harrassed and interrogated. I was accused of something I did not do. My charater has been defamed. I said to Anthony, if Corey only told him about the situation, how did all the other employees come to me with those accusations the same day. He had no answer. I told him that they were not being truthful

The next day I spoke with Anthony, he said he spoke with the female in question, she told him that she had spoke with a male friend about the situation before coming to him. she said her friend deemed that was sexual. I reminded him of the statement I submitted to him. Mr Anthony Jones stated that he believed her story because she is a woman. So I asked if I had accused her of that same thing, what would you have done. He replied, he would not have done anything because men can handle those kind of situations, woman can't. Then he said he wish she had come to him first instead of Corey. The rumors continued to spread, several customers that came into the store approach me about the incident. I asked some of those customer for a statement defending my charater, they refused. They did not want to get involved. I called Corporate office to voice my concerns and other mishaps going on in the store. On August 22, 2019, Corporate responded with an email stating that the matter was investigated and addressed appropriately. The following week, Corey Martin and the female Associate in question were moved to an adjacent department. Anthony Jones, store manager, approach me about calling the Corporate office. He told me not to call them anymore because it makes him look like he is not doing his job. By that time I didn't have any trust in Management to handle this situation correctly.

A few days later, at the end of my shift, I punched out at 3p.m. As I exited the store, another female associate, Brittney Grave, stopped me as asked for a ride home, I told her no. I proceeded to my car. She then walked up behind me and asked again. I told her no and to stop following me, she continued. She grew angry and started shouting loudly in the parking lot "fuck you, that's why your ass is getting fired for sexual harassment" I quickly call the hotline and the next day met with Anthony. He spoke with Brittany and she told him she was waiting on an Uber. I asked Anthony to watch the security camera and he said that it would be useless because it wasn't no audio. I stated that the video itself will confirm what I told him. It will show her following me as I was waving her off. He never looked at the tape.

In October of 2019, is when I noticed the harassment. I was an Electrical Pro Associate with a set schedule Mon-Fri from 6a.m. to 3p.m. from 6:00 to 10:00a.m. my duties was to do a safety check of each aisle and make correction if needed, I.R.P's Inventory Replenish Program. This is down stocking merchandise on shelves for customer to shop. From 10:00 to 3:00p.m. my duties were to focus on customers service only. There were many times at the start of my shift, management had me to cover multiple department at the same time and still expected me to finish my assigned task. Most of the Managers progressively became resilient on making my job difficult. One Manager, Carolyn Landbell, would see me assisting a female customer and quickly call for another associate to assist the customer. Female customer only, she would do that. one day she give me a task right before my shift ended. It was to zone out aisle 13. This was an aisle that was very difficult to zone and she know it could not have been done in 15 mins. While I was performing this task she kept walking past the aisle making sarcastic comments.

Another manager, Nerrissa Holmes, would threaten my job by saying merchandise on the shelves were stacked too high. Knowing that the night shift before mine stacked those items that way. When I try to tell her that, she would reply, " I don't need a rebuttal or excuses" she said if it's not fixed by the end of your shift, we're going to have a different conversation about your job. She would always say to me "losers make excuses and winner get it done" This kind of behavior from management was consistant. I am the only associate in my department and I had to perform more than my share of duties.

Each morning when I came to work, there was always extra work for me to do. I had to put away returns that was left from the previous days where the shift before mine should have done. Again, I reached out to the store management, I would get answers like, they had associates on that shift doing other tasks and they didn't have time to do returns. As a result of my complaint to management, my schedule was changed from 8:00a.m. to 5:00. This shift only gave me 2 hours to complete my task instead of the 4 hours I normally had. It had become challenging and very stressful trying to get my work done. When I ask Anthony why was my schedule changed and not the other Pro Associates, he stated that customers was not coming in at six 'o clock in the morning for electrical supplies, if some did, he would have someone covering my department until I get there. When I did get there I had piles of non-related duties that did not pertain to my work. And I also had customers complaining to me that they could not get any knowledgable help when I wasn't there. I told Anthony that I thought it was unfair that the other department Pro Asssociate didn't have to follow the same pattern I had to. Under the circumstances, I still continued to do the best job possible.

On March 31, 2020 around 2:30p.m. I was call to the Manager's office again, When I got there, I was told that HR was on the phone and wanted to speak with me. When I answered, the person on the other end stated her name was Erin from HR and to inform me that this call was being recorded. She started by asking me if I had problems with anyone in the store. I replied yes, I have problem with the way management handles issues I have. When I began to tell her about the issues I was referring to, she interrupted by saying no, I meant are you having problems with any of the associates, I said no. Erin started asking questions like do I know Brittany, I answered Brittany who, she said Brittany Grace. I said yes, I know of her. Out of nowhere, before asking if it was me, she said I need to come clean because she have me on tape sexually harassing Brittany. Stating that I said "I know you want it, come and get it" I replied, you don't have my voice on tape saying anything. She insisted that it was me. saying maybe I said it in a joking manner. Again I said no, It was not me and I don't joke around like that. She continues to push the issue by asking me again if I was joking when I said it. I became aggravated and said to her, it doesn't matter how you ask or how many time you ask you did not hear my voice on a tape. Erin started yelling over the phone stating that I might as well come clean and it is my voice on the tape. She called me a liar and a sexual harasser to women. After all the name calling, she asked Is it anything else I had to say, because I won't hear from her again. I said no!

On December 24, 2020, During the appeal hearing with the Illinois Department of Employment, the new Store Manager for Lowes, Brain Smagacz stated to the hearing Judge, Marilyn J Woods. The I was accused of sexual harassment 5 years ago. She asked what happen with that accusation, he replied nothing. She asked him why did he mention it. She stated that was not relevant to this case. The hearing ended there, and she told him she would render her decision in 5 business days